

David Millage
STATE REPRESENTATIVE
Forty-First District
Statehouse: (515) 281-3221
e-mail - dmillage@legis.state.ia.us

HOME ADDRESS

3910 Aspen Hills Drive
Bettendorf, Iowa 52722
Home: (319) 332-8723
Office: (319) 388-5417



House of Representatives

State of Iowa
Seventy-Ninth General Assembly
STATEHOUSE
Des Moines, Iowa 50319

COMMITTEES

Appropriations, Chair
Judiciary
Labor & Industrial Relations
State Government

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Renata Hesse
Department of Justice, Antitrust Division
202-616-9937

VIA FACSIMILE

Ms. Hesse:

Iowa Attorney General Tom Miller's leadership in the Microsoft antitrust case has caused many Iowans to track the situation with a watchful eye.

According to the Wall Street Journal, Miller "was the one who originally cooked up the idea of a multi-state assault on Microsoft." (November 9, 2001) Regarding the case, Miller told the Journal, "Everyone knew it was high profile. This one was a no-brainer." (The same article on November 9, 2001.)

I serve as Chair of the Iowa House Appropriations Committee and I am trying to solve the sizable budget deficit the State of Iowa is facing. I have publicly urged AG Miller to sign on to this settlement and bring this case to an end.

The state is scraping for every dollar in a time of budget cuts, yet our state attorneys are spending staff time and money pursuing this case -- that has not and likely will not bring anything back to our state. Thus far, Miller has claimed over \$1.1 million in spending on the case. Of the 19 states involved when that claim was filed, only three states topped Iowa's spending, including much larger states like California and New York. According to the Wall Street Journal, Miller is a main reason several states are balking at a settlement,

"...some state pols will stoop lower than others to latch onto a celebrated case in hopes of boosting their name recognition for future electoral ambitions. These antics might have been tolerated when the economy was stronger, but such frivolity looks conspicuously out of place after September 11. In light of the discovery that we have real enemies in the world, suffice it to say the Microsoft prosecution looks more myopic and perverse than ever." -- Wall Street Journal, "Finally, A Settlement" Nov. 2.

The hard-earned money of taxpayers can be better spent, and consumers will be no better off if this case is prolonged. At a time of belt-tightening all over the country, the attorneys general who remain on the case are acting like they have unlimited resources for an indefinite pursuit of an American business that anchors a sector of an already limping economy.

Americans deserve fiscal responsibility from their government. Please give strong consideration to approving the settlement in this case.

Sincerely,

David Millage
Iowa House of Representatives